

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

HUBERT DUPIGNY,

Defendant.

18-CR-528-1 (JMF)


ORDER

JESSE M. FURMAN, United States District Judge:

The Court just received the attached submissions from Defendant Hubert Dupigny. To the extent that the submissions seek any relief, the requests are denied, both because they are frivolous and because Mr. Dupigny is represented by, and must communicate through, counsel. *See, e.g., United States v. DiPietro*, No. 02 Cr. 1237 (SWK), 2007 WL 3130553, at \* 1 (S.D.N.Y. Oct. 17, 2007) (“Pursuant to its docket-managing authority, a district court may reject purported *pro se* motions filed by a represented defendant.”).

SO ORDERED.

Dated: November 25, 2020  
New York, New York

  
\_\_\_\_\_  
JESSE M. FURMAN  
United States District Judge

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Hubert Dupigny

United States District Court  
Southern District of New York  
40 Centre Street  
New York, New York

As it is proper to define the matter of United States  
v. Hubert Dupigny, Docket Number SI 18-CR-528 (JMF)  
with the Southern District Court of New York, as a  
trust according to the characteristics.

We hereby petition the Court to officially revoke the  
trust. Close the trust that is registered and supervised  
by the ~~court~~. The trust must cease to exist for all  
intents and purposes, it shall have nothing left in its  
name and nothing shall pass to it on anyone's death.  
Handle the accounting and dissolve this constructive  
trust, and provide a full accounting of the former  
estate of the dissolved cestui que (vie) trust, including  
the return of any remaining assets, as instructed,  
according to Our deed.

H. Dupigny  
Hubert Dupigny

Hubert Dupigny

United States District Court  
Southern District of New York  
40 Centre Street  
New York, New York

I, Hubert Dupigny, accept the charge(s) for value for consideration in return for post settlement and closure of case number 6118 CR 528 (JMF).

Please use my exemption for full settlement and closure of the account, as this account is prepaid and exempt from levy.

# Dupigny  
Hubert Dupigny



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Hubert of the Dupigny Family

United States District Court  
Southern District of New York  
40 Centre Street  
New York, New York

I, Hubert Dupigny, hereby request for a true copy of a mittimus, order, writ, warrant or any instrument issued or made by a competent officer or judge authorizing or directing a jailer or keeper of U.S. Department of Justice Federal Bureau of Prisons including ~~and~~ not limited to the U.S. Marshal, to keep Hubert Dupigny and/or his property in custody.

I, further request for full disclosure of the transactions and operations conducted concerning Hubert Dupigny, including and not limited to any and all contracts, liabilities, and any and all other information not herein specifically named of which I am entitled.

I need adequate information in sufficient detail in light of the nature of the transactions and operations, and all hypothetical investors typical of the holders of claim or interests in the matter, any potential successors, include any and all information about any possible or proposed plan, fully reveal the amount and source of campaign contributions, and disclose the facts of all agency's relationship with Hubert Dupigny, including the facts of the relationship between United States and Hubert Dupigny.

Respectfully Submitted

Without Prejudice  
*Hubert of the Dupigny family*  
Hubert Dupigny

*H. Dupigny*  
Hubert Dupigny

Hubert Dupigny  
56457054  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, New York

United States Attorney and Assistant Attorney's  
One Saint Andrew's Plaza  
New York, New York

Conditional Acceptance for Value for Proof  
of Claim (CAEV)

RE: 1:18-CR-528-JMF

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Item # 0308-1/HDC

Dear United States Attorney and Assistant Attorneys

In regards to the above citation/case, as I want to resolve this matter as soon as possible, I find it necessary to exhaust my administrative remedy as to your presentment and offer(s) of your commercial instruments of which I accept for value and agree to ~~per~~form in behalf of the debtor/defendant that you have brought the claim/charges against, but can only do so conditioned upon you providing Proof(s) of Claim (Proof of Claim also means Proof of Fact(s)) relative to Jurisdiction, Authority, Oath of Office, Bond, Misapplication of Statute, Liability to the Statute(s) or otherwise and as such, the necessary Proof(s) of Claim are enumerated below:

1. Proof Of Claim, that the United States Constitution operates upon the Undersigned, a private man.
2. Proof Of Claim, that the Undersigned is a party to the Social compact known as the United States Constitution.

(1/17)

Item # 0308-1/HD4



3. Proof of Claim, that there was judicial review of the indictment.
4. Proof of Claim, that the Undersigned was not compelled to plead before a magistrate who is deprived of subject matter jurisdiction to review an indictment for a felony crime.
5. Proof of Claim, that the indictment is based upon and supported by sworn testimony by affidavit or otherwise, of at least one lay witness who testified that they either were the victim or saw a crime occur.
6. Proof of Claim, that there is a breach of contract or a tortious act involved.
7. Proof of Claim, that there is any actual or special damages.
8. Proof of Claim, of any material element of a crime charged.
9. Proof of Claim of the nature of the cause of action.

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10. Proof of Claim, that the case or matter mentioned herein does not injuriously affects the administration of justice by the introduction of falsehood and fraud.
11. Proof of claim, that the case or matter mentioned herein is not of a criminal falsi.
12. Proof of claim, that you, Geoffrey Berman, Madie Bracewell, Elinor Tarlow and all others acting in concert are not acting under the color of law.
13. Proof of claim, that a collusive action is not taken place in the case mentioned herein.
14. Proof of claim, that a penal action is not taken place in the case mentioned herein.
15. Proof of claim, that a derivative action is taken place in the case mentioned herein.
16. Proof of claim, of the amount in damages.

17. Proof of claim, that the federal constitution is or is not the Supreme law of the land.
18. Proof of claim, that the Uniform Commercial Code (UCC) is not a code of laws governing various commercial transactions including the sale of goods, banking transactions, secured transactions in personal property and other matters.
19. Proof of claim, that nearly all criminal offenses are not statutory.
20. Proof of claim, that the undersigned or Hubert Dupigny has any contractual liability, tort liability or criminal liability in connection with the case mentioned herein.
21. Proof of claim, that the undersigned lose all rights if or when accused of a crime.
22. Proof of claim, that there exist a true bill for an indictment.

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Item # 0308-1/HD4

23. Proof of Claim, that there exist a corpus delicti involved in the case mentioned herein.
24. Proof of Claim, that a corpus delicti do not apply to every crime, in order for the state to introduce a confession or convict an accused.
25. Proof of Claim, that a prima facie showing of a corpus delicti is not necessary to admit a Confession.
26. Proof of Claim, that Proof beyond a reasonable doubt is not necessary if a corpus delicti is used to refer to all of the elements of a crime charged.
27. Proof of claim, that a crime does not consist of damages or loss.
28. Proof of claim, of an occurrence of a specific kind of injury or loss.
29. Proof of Claim, that the Undersigned is not a natural person or individual.
30. Proof of claim, of the Government's age and race.

31. Proof of Claim, that a crime have been committed by the Undersigned in the Southern district of Manhattan, New York.
32. Proof of Claim, that prosecution should not take place in a venue where a crime took place
33. Proof of claim, of where an offense was committed, or a cause of action arose, involved with the case mention herein.
- ( 34. Proof of Claim, that there was judicial review of the indictment.
35. Proof of claim, of the lawfully enacted statutes that describe certain acts and elements of the crime by congress.
36. Proof of claim, that the Speedy Trial Act (Doctrine) have not been violated.
37. Proof of Claim, that the prosecutor in this matter was not serving in the executive branch (Article II) of government therein violating the Constitution's mandate for separation of powers.

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38. Proof of Claim, that the UNITED STATES or the STATE OF NEW YORK, by becoming a corporator did not lay down its Sovereignty and take on the character of a private citizen and that it can exercise no power which is not derived from the corporate charter. (See The Bank of the United States - v- Planters Bank of Georgia, 6 L Ed., 9 Wheat 244.)
39. Proof of Claim, that State of New York or Federal government is not operating under a National Bankruptcy or National Emergency as declared in 1933 and the guaranteed freedoms and governmental procedures, in behalf of the Undersigned, have not been abridged or breeched (see Senate Report 93-549, 1973, 1<sup>st</sup> para.)
- 40 Proof of Claim, that you, Geoffrey Berman, Mollie Bracewell, Elinor Tarlow and all others acting in concert, have taken and filed an Oath of Office stating that you will uphold and defend the Constitutions of the United States and the State of New York

41. Proof of Claim, that within the Criminal case 1:18-CR-528-JMF as identified above, that the judgment will not become commercial paper to be deposited into any bank, or converted into a depositable item for the commercial benefit of the Plaintiff or prosecutor in the case.
42. Proof of Claim, that within the Criminal case as identified above, that you Geoffrey Berman, Mollie Bracewell, Elinor Tarlow and all others acting in concert, posted an indemnity bond to indemnify your action as to any injury that may befall the Undersigned.
43. Proof of Claim, that the Grand Jury Foreperson and yourself, Geoffrey Berman, Mollie Bracewell, Elinor Tarlow and all others acting in concert, for the United State, the State of New York did not violate the Due Process of Law within the Criminal case as identified above.
44. Proof of Claim, that therein, the Judge, the Grand Jury Foreperson and all mentioned herein did not commit/collusion, conspiracy and fraud in respect to the case identified above on behalf of the Undersigned.

45. Proof of Claim, that the appointed attorney that represented and defended the Undersigned in his private capacity with nexus to COMMON LAW UNALIENABLE RIGHTS AS ASSOCIATED TO THE ORIGINAL JURISDICTION.
46. Proof of Claim, that all Motions signed and submitted in the above mentioned case by any appointed attorney are not void for fraud if the Undersigned is not the subject nor the Object of the Statute(s) or if liability to the Statute(s) has not been proven.
47. Proof of Claim, that the false incarceration placed upon the Undersigned is not merely a commercial Scheme to create vast sums of so called money by and through the bonds, judgments and other commercial paper created by and through said prosecution of the corporate entity.
48. Proof of Claim, that the charges are not excessive.
49. Proof of claim, that prosecution is not based on prejudice and bias against the Undersigned.

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50. Proof of claim, that the Undersigned is a signatory to the United States Constitution.

51. Proof of claim, that the Undersigned is a party to any contract or agreement to the Federal Corporate government or Sub-agencies called States.

52. Proof of claim, that the Federal Statues operate upon the Undersigned.

53. Proof of claim, that the Undersigned is a resident of the United States.

54. Proof of claim, that the Undersigned is a resident of the STATE OF NEW YORK or any derivative thereof.

55. Proof of claim, that the Undersigned's rights did not exist before the creation of the State (see *Hale v. Hinkle*, 201 U.S. 43 @ pg. 74 (1905))

56. Proof of claim, that there are clauses in the STATE OF NEW YORK Constitution that Subject a private man to your Statutory jurisdiction.



57. Proof of Claim, that you are not obligated to produce any documents, evidence, discovery, or otherwise as requested; i.e., Proof of Claim(s), Proof of Fact, Proof(s) of Law, Proof of contract(s) or whatever that prove your claim(s) as to any jurisdiction, demand for payment or otherwise to bind the Undersigned to the corporate or legal fiction; HUBERT DUPIGNY.

58. Proof of Claim, that United States of America or the Government initiated a case against Hubert Dupigny or the Undersigned.

59. Proof of claim, that criminality is not a source of a injury or loss.

■ Please understand that I want to resolve this matter as soon as possible, I realized that I may have made a few mistakes in the past, but understanding my right to exhaust my administrative remedy/process in this commercial matter, I now request the above Proof(s) of Claim that you are relying upon to support your claim(s) in this matter.

(11/17)

Item #0308-1/HD4

## CAVEAT

Please understand that while I want to resolve this matter mentioned herein, I can do so only upon your official response by you in providing the above Proof of Claim in the above matter as to the prosecution being lawful, proper and constitutional.

Therefore, not being a signatory to the FEDERAL CONSTITUTION or the STATE OF NEW YORK CONSTITUTION, nor a party to your Social compact, not being named in your Statutes and/or noticed of an agreement between the State of NEW YORK or the UNITED STATES with the Undersigned, the Undersigned did not and does not understand the nature of the jurisdiction imposed by the State of New York in respect to judgment and/or prison time received, or the commercial nature of same involving commercial paper, bonds, etc. created by the judge or others in respect to the above case.

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Should you fail or refuse to provide the requested Proofs of Claim, you will fail to state a claim upon which relief can be granted and you will have stipulated to the facts as they operate in favor upon the Undersigned, i.e., that the Undersigned is not a signatory nor party to the Social Compact (Constitution) of the State of New York Statutes and said constitution do not operate in favor upon the Undersigned and that the so called Plaintiff / Prosecutor Elinor Tarlow or Mollie Bracewell committed constitutional impermissible application of the statute / law in the above case matter and you also agree that injury was done to the Undersigned via false and malicious arrest and imprisonment, misapplication of the statute, malicious prosecution, conspiracy, unlawful incarceration and fraud, and you agree that the Undersigned can secure damages via tort.

As to any non-response and or failure to provide the requested Proofs of Claim will constitute your agreement that any remaining judgment/monetary penalty may be Accepted for Value and Returned for Discharge, or by promissory note or other appropriate commercial paper, etc., to allow the setoff/adjustment and exchange of the credit (discharge) to allow the account to be adjusted to (zero) by and through the exercise of the remedy provided by congress via HJR-192, to discharge debts dollar for dollar or by the exemption of the Undersigned.

Hubert Dupigny is exercising his right to verify any such proof, discovery, evidence or otherwise [in the nature of his right to challenge jurisdiction at any time] as to the entire matter per his right within Due Process of Law and therefore this private process is proper in obtaining such evidence and to challenge any false claims, charges or otherwise. (see attached Memorandum on CAFV)

11/17

Item # 0308-1/HD4



As such, the Plaintiff(s) / Prosecutor(s),  
 = Elinor Tarlow / Mollie Bracewell for the State  
 of New York, having superior knowledge of  
 the law and access to the proofs and can  
 provide such Proof of Claim requested herein  
 above [REDACTED] to inform the Undersigned  
 Secured Party on the lawful, proper and  
 Constitutional prosecution of the above case/  
 matter and as to evidence that there was no  
 misapplication of the statute and how the  
 Undersigned can lawfully pay debt(s) at law  
 including judgments with constitutional  
 money and not be tricked into becoming a  
 tortfeasor, by the state of New York.  
 (see: Article I, § X - U.S. Constitution).

The Undersigned respectfully request that you;  
 Mollie Bracewell and Elinor Tarlow, as  
 prosecutor(s) for the state of New York must  
 reply within 30 days in providing Proofs of Claim  
 both to Undersigned and to the Third party's address  
 below, and should you go into fault, you will be  
 given three days (72 hrs) to cure your fault of  
 non-response.

IF you fail to cure your fault, you will be found in default and will have established your default and dishonor of this counter-offer to the original offer indictment in the record.

The defaulting and dishonoring party will be foreclosed on by laches and estopped from maintaining or enforcing the original offer in any court or administrative unit and you agree that the Undersigned may exercise his exclusive remedy as to the stipulated and agreed upon false and malicious arrest and imprisonment, misapplication of the statute, malicious prosecution, conspiracy, unlawful incarceration and fraud *via tort*. THE DEFAULTING OR DISHONORING PARTY AS AGENT, SPEAKS FOR STATE IN THIS MATTER AND BINDS THE STATE TO ANY MONETARY DAMEGES FOR INJURIES AS SO STIPULATED BY YOU, ELINOR TARLOW AND MAULIE BRACEWELL.

Also requested from you is a true and correct copy of your Oath of office, Surety, performance bond or blanket bond with name and address of insurer, bond number, social security number,

(16/17)

Item # 0308-1/HD8

public or private pledges or otherwise to indemnify the Undersigned as to any injuries and violations against the secured Right(s), Title(s), or Interest(s) of the Undersigned.

Sincerely,

Without Prejudice / All Rights Reserved

~~Hubert~~ of the Dupigny Family

Hubert Dupigny POA, Secured Party Creditor,  
Authorized Representative, Attorney-in-fact  
in behalf of HUBERT DUPIGNY Eng legis/entity

Third Party Address: c/o 535 Parkside Avenue  
Brooklyn, New York [11226]

JURAT

State of New York  
County of Kings

Authorized by the Act of July 7, 1955  
to Administer Oath's 18 USC 4004

MDC BROOKLYN  
80 29 TH STREET  
Brooklyn, NY 11232

ATT: UNIT TEAM J&K  
Item # 0308-1/HDH

(17/17)

## NOTICE:

ARTICLE VI - U.S. CONSTITUTION; This Constitution and of the United States which shall be made in Pursuance thereof... shall be the Supreme law of the Land; and the Judges in every State shall be bound thereby, any thing in the Laws or Constitution of any State to the contrary notwithstanding.

As a matter of due process, an offender may not be sentenced on the basis of mistaken facts or unfounded assumptions. Townsend v. Burke, 334 U.S. 736, 740-741 (1948)

Ignorance of the law does not excuse misconduct in anyone, least of all in a sworn officer of the law. In re McCowan, 177 C. 43, 170 P. 1100, (1917)

An officer who acts in violation of the Constitution ceases to represent the government.

Brookfield Const. Co. v. Stewart, 284 F. Supp. 94.



**MEMORANDUM OF RECORD;** ... an instrument embodying something that the parties desire to fix in memory by the aid of written evidence or that is to serve as the basis of a future formal contract, the designation of the written agreement, which must exist to bind the parties.

AS TO SIGNATURES; See accommodation - UCC-3-419

Undersigned herein has the right to exercise exclusive remedy via Tort Claim for any and all agreed, stipulated and confessed injuries including but not limited to violation of Oath of Office (to Supreme Law of the Land), violation of Due Process of Law, Misapplication of Statute, Constitutional impermissible application of Statute and law, fraud, fraud of Scienter and otherwise.

MEMORANDUM IN SUPPORT  
OF PRIVATE ADMINISTRATIVE PROCESS  
AKA; CONDITIONAL ACCEPTANCE FOR VALUE  
FOR PROOF OF CLAIM (CAFV) with  
NOTICE OF ADMINISTRATIVE REMEDY POINTS AND AUTHORITIES

Non-negotiable - Private between the parties

Conditions of Notice via CAFV;

- A. Undersigned desires to settle this matter via good faith via acceptance and to satisfy any obligation established or indicated by any presentment from Respondent by agreement predicated and conditioned upon proof of claim (discovery and evidence).
- B. The use of any Notary by claimant is to keep the record, acknowledge the signature of the undersigned and testify to the veracity of the same in any court where necessary and may utilized Notarial protest as needed.

Claimant; is the living, flesh-and-blood sentient being, who(s);

(1/12)

Item # 0309-1 MEM/CAFV/AD

1. Rights existed long antecedent to the Organization of the state ... Hale v. Henkle 201 U.S. 43 @ pg. 74 (1905).
2. Is not a signatory to any state or Federal Constitution.
3. Is not a party to any state or Federal compact.
4. Is not named in the Statutes of any State or Federal government
5. Has the right to exercise private administrative process for resolution before utilizing the foreign courts of de-facto governments agency / units.
6. Has the personal knowledge of the facts of the matter and are contained in affidavit form duly notarized.
7. Initiates process and contact in Good Faith, with Clean Hands and Fair Dealing implied in administrative or law.
8. Has expectation of same from all agents, employees and officers of government or quasi-government (private) corporations, and the private sector.
9. Has expectation that agents, employees and officers of government or quasi-government (private) corporation, and the private sector will act fairly and honestly in good faith, with clean hands and without intent to cheat, hinder, delay, defraud, lie, coerce, use undue influence, threaten, or use physical force (beatings) or violate their Oath of Office.

(2/12)

Item # 0309-LMEM/CAEV/HD

Respondent(s) to this private administrative process (CAFV) is to:

1. Substantiate the validity and the accuracy of their presentment (whether complaint, information, indictment) or otherwise;
2. Produce Delegation of Authority - private/public (duty sanctioned) or otherwise;
3. Produce Constitutional Oath of Office duly signed and witnessed;
4. Produce any Contract or Agreement bearing bona fide signatures including those of the claimant;
5. Constitutional authority of Respondent to act against Claimant;
6. Produce bases upon which any claim operates upon Claimant;
7. Operate with Good Faith, Clean Hands, Fair Business Dealings;
8. Provide full disclosure at all times, and
9. Conduct matter under the principles of the American Jurisprudence and Law;
10. Disclose whether the instant matter is a proceeding in time of Peace;
11. Disclose whether the instant matter is a proceeding in time of War;

(3/12)

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12. Act in a manner so as not to cheat, hinder, delay or defraud the Claimant in any manner;
13. Act in a manner not to coerce Claimant under color of law or to subject Claimant to involuntary servitude and peonage;
14. Insure that, in this instant matter, Respondent(s) agrees not to commit Fraudulent concealment, denial of Substantive due process, denial of due process of law, to mutual conspiracy to engage in a Scheme of unjust enrichment, or a Declaration of War against the Claimant and Subjection of Claimant(s) to a state of involuntary servitude and peonage in violation of:
  - a. Bill of rights - re; right to Life, Liberty and Pursuit of Happiness;
  - b. Thirteenth Amendment of the Constitution of the United States;
  - c. Title 18 USC § 1581;
  - d. Title 42 USC § 1994;
  - e. Article 6 of American Convention on Human Rights;
  - f. Article 1, § 8 of the U.S. Constitution.

(4/12) Item # 0309-1 MEMO/CAFU/HD

15. Or where Respondent is a private man/woman; within the context above, validate the claim, acts or otherwise as to show actions, statements were proper, lawful and correct and that Respondents actions were not injurious in any capacity.

Notice; Claimant does not assume the Respondent is deceitfully attempting to assert a requirement where none exists, to file a form or allege a liability where none exists (other than upon a corporate or legal fiction/debtor), nor is Respondent attempting to forcing Claimant to participate through coercion and/or undue influence to perform or pay against Claimant's will.

Requirement(s) of Respondent(s);

1. After review of the indictment, law, statutes, codes, evidence, etc, transmit a notice to claimant that there has been misapplication of Statute/law or code
2. Provide Proof of Claims as attached hereto.

(5/12) Item # 0309-1MEM/CAEV/HD

3. Otherwise Respondent(s) understands and agrees that a non-response, silence and/or refusal to provide Proof of Claim(s) constitutes full agreement to all the facts as they operate in favor of the Claimant and Respondent(s) and its Principal(s) are in agreement for discharge of any fine, forfeiture, fee, tax, debt or judgment via commercial instrument and/or Acceptance for Value and Returned for Discharge and/or Respondent(s) agrees that Claimant can exercise exclusive remedy via Tort Claim on all parties to the admissions and injuries.

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[Intentionally Left Blank]

(6/12)

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## Notice of Administrative Remedy Points and Authorities:

1/6

Notice; it is the manner of enforcement which gives Title 42 1983 its unique importance, for enforcement is placed in the hand of the people. Each citizen acts as a private attorney general who takes on the mantle of the Sovereign, guarding for all of us the individual liberties enunciated in the Constitution....

(Frankenhauser v. Rizzo. 59 F.R.D. (1973)).

1. Undersigned Claimant hereby is herein exhausting their administrative remedies, to determine the nature and cause of the indictment, incident, matter, injuries, documents, authority, jurisdiction, commercial matter, monetary disclosure(s), monetary assessment described therein or otherwise.
2. As an operation of law, Undersigned Claimant is required to exhaust their administrative remedies, [REDACTED] before they may bring any judicial action for remedy or relief, if such is warranted

(7/12)

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by the result of the administrative process, via 2/b agreement, stipulation or confession.

3. For reference, the principles that arise from the Administrative Procedures Act (APA), Title 5 United States Code, state and federal constitution requirements operate upon [all] agents/employees of [companies], Corporations [government corporations].

4. The APA establishes fairly liberal standards for allowing participation by persons who either have a personal interest in the outcome of the proceeding or represent a pertinent public interest, Title 5 U.S.C. 703.

5. Under the authority of the Administrative Procedure Act at 5 U.S.C. 556'D; Burden of Proof, the proponent of a rule or order bears the burden of proof. The Supreme Court has stated that if any tribunal (court) finds absence of proof of jurisdiction over person and subject matter, the case must be dismissed. For reference, see Louisville RR v. Motley, 211 US 149, S. Ct. 42. Claimants are relying upon the same measures and enforcing the same requirements in

(8/12)

Item # 0309-1 MEMO/CAFU/AD

exhausting the administrative process as to 3/6  
 Proof of wrong doing, injuries, liability, fraud,  
 wrongful termination, medical malpractice,  
 misapplication of statute, malicious prosecution,  
 lack of jurisdiction, barratry, or egregious acts  
 or otherwise as applied to the inquiries and/or  
 matter/action attached hereto.

6. Claimant initiates this Private Independent  
 International Administrative Process under the  
 principal of contract which operates upon  
 the agent/employee to be a fact finder.

7. Claimant fully understands that it is not the  
 intent of the Respondent(s) to mislead or otherwise  
 defraud, deceive, or withhold any evidence as  
 applied to the inquiries and requested documents  
 herein, and herein Claimants rests upon  
 Respondent(s) Good Faith and Clean Hands  
 Doctrine and duty to so respond.

8. Claimant has an expectation of Good Faith on  
 the part of the Respondent(s) as Directors,  
 Commissioners, agent(s), employee(s) or otherwise  
 on behalf of companies, corporations, government

(9/12)

Item # 0309-1/MEM9/CAFU/HD

Corporations, agencies or officers and judges 4/6  
of the court to answer the inquiries, to give  
proof, to produce requested documents and evidence.

9. Claimant is acting in a private capacity as a  
fact finder within the undersigned's private  
administrative process to secure a preponderance  
of proof, evidence or otherwise, where facts  
asserted [or admitted] are more probably more  
true than false. In said case; proceedings must  
be of a type commonly relied upon by reasonably  
prudent men in [the] conduct of their serious  
affairs. Therein Respondent(s) have a good faith  
duty to respond and answer the inquiries and or  
provide requested Proofs of Claim.

10. The response(s), or assent(s), or failure or  
refusal to provide and produce the requested  
evidence in the absence of response will provide  
the undersigned a means to determine the  
nature and cause of the Respondent's actions  
and documents up to and including default.

11. However, Silence can only equate with Fraud where  
there is a legal or moral duty to respond or where

(10/12)

Item #0309-1 MEM%/CAFV/HD

an inquiry left unanswered would be intentionally 5/6 misleading. U.S. v. Prudden, 424 F.2d 1021 (1070)

12. As with any administrative process, Respondent(s) may controvert the statements and/or claims made by Petitioner(s) by executing and delivering a verified response point by point, with evidence in support or stipulate that no document or exhibit exists in the record, or no Proof of Claim exists.... on said point by point basis. Respondent(s) may agree and admit to all Statements and claims made by Petitioner by Tacit Procuration by simply remaining silent. Silence equates to agreement.

13. In the event Respondent(s) admit the statement and claims by Tacit Procuration, all issues are deemed settled Stare Decisis, and Respondent(s) may not argue, controvert, or otherwise protest the finality of the administrative findings in any subsequent process, whether administrative, judicial, or commercial.

14. Respondent(s) are granted a minimum ten days (10) days or up to 30 days if specifically

(11/12)

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specified... and are to respond to the requests b/6 for Proof(s) of Claim, Statements, questions and charges, or otherwise... herein and/or to provide Respondent(s) own answers to inquiries.

15. Exception: In the event Respondent(s) believes the acts complained of may be raised to the level of, and prosecuted as, a Criminal Act, Respondent(s) may forward a copy of this administrative process including the Affidavit of Default to the Grand Jury or prosecuting authority along with a demand that such Grand Jury or prosecutor investigate the acts complained of and make a determination as to whether Respondent(s) may be criminally prosecuted or indicted for any matter raised in this private administrative process. Respondent(s) must serve, or cause to be served a certified copy of such demand for criminal investigation, and proof of submission to the appropriate Grand Jury or prosecuting authority, along with a request for an extension of time to respond based upon Respondent's right or privilege against Self incrimination.
- [REDACTED]

(12/12)

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Notice to the Principal is Notice to the Agent and  
Notice to the Agent is Notice to Principal

A detrimental change of position has been established.  
There has been a change of Our position by reason of a  
falsity and detrimental reliance, Our reliance upon the  
actions, representations and promises caused an  
effect of change for the worse in Our position.  
Therefore, We hereby claim and re-establish Our  
competent living status and possession of superior title

A trust have been found to exist by operation of  
law or by construction of the Court and formed on the  
presumption that the beneficiary is dead, abandoned  
a minor or incompetent. However, We hereby claim  
the contrary to these presumptions. We never intend  
abandonment of any property, goods, or rights and

We never intend to ever occupy the place of any Fiction and We reserve all rights in good faith and Seek for restoration of all property and rights

We, the Divine Immortal Spirit, expressed in trust to the Circumscribed natural, living, breathing Flesh known as one who possess Unique perception, sound mind, and sufficient mental capacity, a member of the homo sapien species with the given name of title Hubert Dupigny

As Our actions and this instrument make our status and superior title clear, We demand that you immediately remove from all roll(s) and register(s) any record(s) associated with all unlawful and inferior claims over Our property including and not limited to Our name, flesh, spirit and all non coercive or non punitive beneficial entitlements. Furthermore, We demand any and all temporary testamentary trust, Cestui que vie and/or any derivatives thereof formed upon such errors of presumption as Our abandonment, loss, death, or incompetence must be immediately dissolved, including a full account provided to Us without delay. We request that all original records previously associated with all claims are returned to Us canceled and signed as evidence you have complied with Our Deed

We, the Divine Immortal Spirit, expressed in Trust, to the Circumscribed natural, living, breathing flesh known as Hubert Dupigny, place Our autograph to this instrument and execute this instrument as a deed and We sign it willingly and execute it as Our free and voluntary act for the purposes therein expressed, and furthermore, We place Our thumbprint upon this instrument as it is proof that We are a True live Competent individual, Our thumbprint is Our Seal and it represents the unique identity of Ours and not a fiction's

Receipt of this Deed is an acknowledgment and acceptance

Thumb print

To: Registrar  
Care Of:



Hubert Dupigny

United States District Court  
Southern District of New York  
40 Centre Street  
New York, New York

Dear, Jesse Furman

With all due respect, be not disturbed about all the efforts in the pursuit to happiness and maintaining innocence, for We are honorable in our efforts to comply with necessity, and following the heart and intuition.

We bring attention to mistakes of facts and laws. We operated from an unintentional and innocent misunderstanding of facts and laws rather than from a criminal and immoral purpose. We have not knowingly nor willfully committed a violation of law or otherwise acted in bad faith. There is a misapprehension or incorrect application of law and facts in regard to acts, contracts, transactions, determinations, or state of affairs.

There are mistakes materiality to transactions and We misunderstood and was not aware that certain activities or interactions and communications with others would lead to legal consequences or constitute a crime.

The presumed facts had not been as We believed them to be and We had no cognizance of any crime nor of any prescribed legal duty or contract.

Throughout the course of the alleged activities or facts, at all times we were under the influence of alcohol and marijuana and people. The use of alcohol and marijuana diminished the ability to properly observe the circumstances and people socialized with and introduced to and because of diminished capacity and resources, we were taken advantage of. However, we voluntarily wanted to help others out of the kindness of the heart and not for any criminal or evil purpose, we did <sup>not</sup> have any malicious intent and was not aware of violating anyone's public or private legal rights that a contract may have secured, we never intended of anything immoral, tortious, or anti social towards anyone nor group, we have not oppressed nor robbed no one or group by violence nor deceit. We have not stolen, we have not killed, we have not told lies or bear false witness, we have not sinned against another. In open court, it has not been shown or proven that another was harmed by a crime, tort, or other wrong.

The accusations or circumstances could not occur, exist, or be done especially within the Southern District of New York, due to the fact that it is impossible to perform any of the elements of the charges while confined or imprisoned. An overt act in addition to an agreement to constitute conspiracy is also impossible, we have not done any outward act in furtherance of a conspiracy, which is an required element of crimes or offense for conviction. The wrongful act that makes up the physical action of a crime or the actus reus has not been satisfied nor physically accomplished within the Southern District of



New York. A jury reached a verdict on which a judgment cannot be based because of irregularities or legal inadequacies and inadmissible evidence. There is no valid conclusion based on any facts presented in this matter because the conclusion drawn is not justified by the evidence presented, there is a miscarriage of justice and we are wrongfully convicted. A jury reached a verdict on which a judgment cannot be based, because the substance of a crime that consists of an injury or loss and the criminal act that resulted in it has not been proven. The jury came up with a guilty verdict. However, not a valid verdict of culpability. The jury did not find that we were justly liable to any penalties, The jury did not find that we were lawfully culpable to any statute. A contract evidencing a transaction involving commerce to settle by arbitration a controversy, arising out of a contract or transaction do not exists. There is no valid binding contract with a arbitration clause, nor have we knowingly nor willfully agreed to submit to arbitration. A cause of action based on a promise or to answer for damages or for a debt, default, or improper or negligent conduct of another, has not been proven nor evidenced in writing. Therefore, it is impossible to be culpable or much less guilty of the statutes being charged and an agreement in writing to arbitrate is not part of any contract, and it is also impossible for the government to bring an action nor do business of any kind because the government lacks substantial capacity to do so.

In open court, it was mentioned that, the government must prove the following three elements beyond a reasonable doubt: First, that the defendant knowingly used a facility and means of interstate commerce to persuade, induce, entice or coerce a minor to engage in sexual activity for which a person can be charged with a criminal offense, Second, that the defendant believed that the victim was a minor, and Third, that the defendant could have been charged with a criminal offense for engaging in the specified sexual activity. In addition, the government would have to prove by a preponderance of the evidence that venue is proper in the Southern District of New York.

The government has not proven these three elements beyond a reasonable doubt or at all, and in addition, the government has not proven by a preponderance of the evidence that venue is proper in the Southern District of New York. There have been a grossly unfair outcome within the trial, a miscarriage of justice occurred. We were convicted despite a lack of evidence on essential elements of the offense and a crime. A jury is not permitted to speculate on a matter about which insufficient evidence has been presented in reaching its verdict, yet it has occurred, with the influence of an attorney acting as foreperson within the jury.



We intended to make an agreement, however We had very little bargaining power and little real choice. The bargain was so one-sided as to amount to an absence of meaningful choice and unreasonably favorable. The activities conducted within the Court created a hardship which prevented the exercise of free will in engaging in transactions. We were deprived to make an agreement or contract with the free will to express acceptance, terms and conditions. The right to contract in whatever manner We please have been trampled upon, compelling us to an unfair trial within an inappropriate and oppressive forum and with improper effectiveness of assistance of counsel. At all times throughout the course of each proceeding before the Court We acted and testified under duress and by an undue influence, We had to comply with necessity.

We also bring attention to false representations, Aaron Mysliwiec, Carine Williams and Jonah Hudson-Erdman never received power of attorney or express authority to sign, speak, or act in any way on behalf of Hubert Dupigny nor were the Court of Southern District of New York granted the power of appointment. These individuals were never given authority to transact on Our affairs and they have trespassed against Us with malfeasance and malpractice, and We were not given the right to counsel.

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We do not understand the Scop or Structure of any Criminal enterprise or the actions of others of the cases: 18 CR 527 (KMW), 18 CR 529 (JFK), 18 CR 530 (LGS), 18 CR 871 (PKC), 18 CR 872 (VM), and 18 CR 874 (JSR). We are not a participant of any members or groups of these cases, We do not know nor spoken or made any agreements with anyone within these cases before these cases were brought before the Court.

It is unfair to be held accountable for other people activities or illegal act, and the perpetrators singled out for prosecution. We should not be held responsible for other peoples own bodily violations nor their transactions that they willfully conducted. We should not be held responsible for the life style of others nor for their profits, for We have not profited from their transactions nor influenced or enforced any one activities.

It would be improper to make judgement on a matter that does not provide due process of law, full disclosures, equal protections, No fair warning, no fair dealing and no fair play and substantial justice. And no judgment shall be rendered because no rights have been affected or impaired besides Ours, and where there is no actual case or controversy and no binding contract or legal duties. And there is no verified signature of a party on a pleading, motion, or any other papers to certify that to the signers knowledge it is grounded in fact and warranted by law or otherwise brought in good faith and not for an improper purpose.

The jury made determinations based on deceptive and foreign or improper influences and we are forced under foreign transactions, not understanding nor any one explaining the nature and cause of the transactions and its consequences, causing prejudice due to the lack of full disclosures, activities and inconveniences.

The location of a crime is being over-looked or ignored for wrongful reasons. There are incompleteness, inadequacy or imperfections in venue and by the lack of proper investigations and by carelessness and political agendas venue is assumed and impartiality is not prevented, as if there is a personal bias towards the undersigned. Unreasonable delays after invoking speedy trial rights or guarantees, resulted in the unavailability of witnesses and evidence, compelling the act of testifying and the compelling circumstances of necessity caused the undersigned to act against his will. Evidence abuse also caused unnecessary delays and sudden changes that was not agreed to. The entire procedure is arbitrary and capricious adversely affecting rights and all progress, and all who witnessed showed no due care and neglect to prevent unfair practices, showing discrimination in treatment.

In the attempt to protect or maintain innocence, we also bring notice or attention to the Court of the errors and misfeasance. The Constitution and treaties prohibits these kinds of acts or procedures and it shall not render judgement, and if the Court moves forward knowing



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or being aware of such errors and misfeasance, it will demonstrate the impartiality and prejudice and an conspiracy to do fraud with the intent to only do harm rather than the result of a mistake or error.

The negligent or intentional infliction and/or errors are too great to ignore and need to be corrected and the entire procedure needs review. We have not been given the fair right and notice to defend before a competent jurisdiction, therefore, a default notice or judgement shall never be issued.

At all times throughout the alleged activities or facts, and throughout the entire procedure of the matter at hand we acted in good faith and within the course of duties and within the course of being a good Samaritan.

*H. Dupigny*  
Hubert Dupigny



Hubert Dupigny  
6457054  
ADC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, New York



United States District Court  
Southern District of New York  
40 Centre Street  
New York, New York

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